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County: Asotin

In re Affidavit in Support of Criminal Complaint as to Jeremiah LAFAVE

State of Washington)

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County of Asotin)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 20, 2022

SEAN F. MCAVOY, CLERK

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Thomas Brennan, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint seeking the arrest of Jeremiah LAFAVE for violating 18 U.S.C. § 922(g)(1), Unlawful Possession of a Firearm.
2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since March 2018. I have served as a Special Agent with the FBI in the Salt Lake Division, Lewiston Resident Agency, since October 2018. As part of my enforcement duties, I am statutorily charged with investigating federal criminal violations, including federal crimes committed on Indian Reservations under special jurisdiction of the United States Government. Prior to joining the FBI, I served as a U.S. Department of State Diplomatic Security Service (DSS) Special Agent for four years and an Assistant to the Director of Policy & Planning at the NYPD Counterterrorism Bureau for two years. As a Federal Agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States. I have been an investigative case agent involving federal law violations including kidnapping, assault, assault on a federal officer, firearms offenses, homicide, sexual assault, child abuse, domestic violence, sale and distribution of illegal

narcotics, identify theft, passport fraud, visa fraud, and cyberstalking. In the course of these investigations, I have obtained and executed search warrants and arrest warrants, conducted surveillance, interviews, and employed consensually monitored confidential informants.

INVESTIGATION

3. The United States, including the FBI, is conducting a criminal investigation of Jeremiah LAFAVE's suspected criminal activities in the Eastern District of Washington and elsewhere.

4. In pursuit of that investigation, on November 17, 2021, I swore to and was granted a search warrant to place a GPS tracking device on Jeremiah LAFAVE's (LAFAVE) vehicle, identified as a maroon Cadillac sedan bearing Washington License plate BXL7174 (SUBJECT VEHICLE 1), by U.S. Magistrate Judge James Goeke in the Eastern District of Washington. Washington Department of Licensing records show the vehicle is registered to Amber Letchworth of Colbert, Washington; however, LAFAVE has been observed utilizing SUBJECT VEHICLE 1 and several other vehicles on multiple occasions during this investigation.

5. On November 18, 2021, the GPS tracker was placed on SUBJECT VEHICLE 1. Between placement and December 4, 2021, SUBJECT VEHICLE 1 was observed driving to residences throughout Clarkston, WA and Lewiston, ID, to include multiple stops to LAFAVE's girlfriend's identified temporary residence in Lewiston, ID.

6. On December 4, 2021, Lewiston Police Department stopped SUBJECT VEHICLE 1 for a traffic violation, and officers deployed a drug detection K9 and received a

positive alert for narcotics.¹ The driver, identified as LAFAVE, got out of SUBJECT VEHICLE 1 at the request of officers and consented to a search of his person. Officers located \$7,000 in various rubber bands and amounts in LAFAVE's front jacket pocket. While it is not uncommon for individuals to have large cash amounts on hand due to a variety of reasons, such as the management of a small business, I am aware that LAFAVE is not employed. Based on my training, experience, and familiarity with the facts of this investigation, I believe the \$7,000 on LAFAVE's person were the proceeds of drug distribution in Lewiston, Idaho and Clarkston, Washington. While drug prices fluctuate, \$7,000 can be reasonably estimated to be the value of two pounds of methamphetamine. While no other contraband was located in the **SUBJECT VEHICLE 1**, officers discovered numerous voids within the interior paneling of **SUBJECT**

¹ K-9 Sgt. Reese has been a full-time law enforcement officer for 20 years, 18 of those years with LPD. For the last 12 years he has been assigned as a narcotics detection K-9 handler. In 2009, K-9 Sgt. Reese attended his initial K-9 training through Puget Sound Detection K-9's in the Seattle Washington area. Since then, he has attended over 2000 hours of both in house and Idaho POST certified training; directly related to narcotic detection K-9 topics. K-9 Sgt. Reese is currently certified through Idaho POST as a K-9 evaluator. K-9 Sgt. Reese is currently working his second drug detection K-9, K-9 Marta. K-9 Marta is a European lab imported from Slovakia. K-9 Marta was trained by master trainers at Vohn Liche Kennels in Peru Indiana. Both K-9 Sgt. Reese and K-9 Marta are currently certified through the state of Idaho as a narcotic detection K-9 team. K-9 Marta is trained to locate an alert on the orders emanate from methamphetamines, heroin, cocaine, marijuana and paraphernalia associated with these controlled substances.

VEHICLE 1, which I am also aware are often used by those involved in drug trafficking to hide narcotics and other contraband.

7. On December 30, 2021, I swore to and was granted an extension for the GPS tracker currently located on SUBJECT VEHICLE 1 before U.S. Magistrate Judge Mary Dimke in the Eastern District of Washington.

8. On January 19, 2022, Detectives monitoring the court-authorized GPS tracking device on SUBJECT VEHICLE 1 observed that it was traveling in a westward direction from Clarkston, WA towards the Tri Cities, Washington area. I know from current and previous investigations that the Tri-Cities is a source city for narcotics for the Lewis & Clark Valley. At approximately 10:00 p.m., Task Force Officers based in the Tri-Cities observed SUBJECT VEHICLE 1 at a Sun Market Convenience Store outside of Pasco, WA. SUBJECT VEHICLE 1 traveled behind the Sun Market for approximately twenty minutes before returning eastbound on Highway 12 towards Clarkston, WA. I requested Det. Colby Martin attempt to positively identify SUBJECT VEHICLE 1 as it traveled through the Pomeroy, WA area. Det. Martin notified me that it appeared SUBJECT VEHICLE 1 was traveling in a two-car convoy with an additional vehicle, identified as a black Mercedes, based on his training and experience. The black Mercedes was closely following SUBJECT VEHICLE 1, and then Det. Martin saw both vehicles stop together before proceeding onward towards Clarkston. I am aware from this investigation that LAFAVE is known to travel in two to three car convoys in an attempt to elude detection by law enforcement.

9. After both vehicles passed Chief Timothy Park, Asotin County Patrol Officers and FBI TFO J.R. Gregory attempted to pull over SUBJECT VEHICLE 1 and the black Mercedes. After a delay, the black Mercedes complied. SUBJECT VEHICLE 1, however,

declined to submit to the authority of the patrol officer (Nez Perce and FBI TFO) effecting a traffic stop and continued traveling along Highway 12. As SUBJECT VEHICLE 1 approached the first intersection in Clarkston, WA, SUBJECT VEHICLE 1 was being followed by approximately six police vehicles with red and blue lights flashing. SUBJECT VEHICLE 1 accelerated to approximately 91 mph while traveling through the traffic light, lost control, struck a metal pole, and crashed. LAFAVE opened the door of SUBJECT VEHICLE 1, got out of the vehicle, and was contacted by FBI SA Dom DiFiore, who directed LAFAVE to the ground. Clarkston Fire Department subsequently arrived on scene to assist with the crash. SA DiFiore observed, in plain view, a handgun next to the driver seat of SUBJECT VEHICLE 1 that was precariously balanced on the door sill. To prevent the firearm from falling out of the vehicle during the fire department's efforts (they needed to spray the interior of the vehicle with retardant), and for everyone's safety, SA DiFiore transferred the firearm to the roof of SUBJECT VEHICLE 1.

10. While the firearm moved from the door frame was on the roof of the vehicle, I was able to observe the serial number on the rear portion of the slide rail. The serial number was 20BC25889. While the driver door was open, I was also able to observe a clear zip lock bag of pistol ammunition in the driver door storage bin.

11. In addition, while processing the crash, I observed, in plain view, a bag of approximately 100 white pills on the passenger floorboard. Based on my training and experience, I believe these pills are "mexis," which is a common street term for fentanyl-laced pills. LAFAVE was brought to St. Joseph's Regional Medical Center for treatment. Prior to

transferring SUBJECT VEHICLE 1 to a secure law enforcement facility in Asotin County, Washington, SA DiFiore moved the handgun from the roof of the car back onto the driver's seat.

12. A federal search warrant for SUBJECT VEHICLE 1 was obtained from the Honorable James A. Goeke on January 20, 2022. As applicable to this Affidavit and submitted charge, searching agents retrieved the firearm noted above, and were able to identify it as a "firearm", to wit a Century Arms Canik TP9SFX .9mm handgun bearing serial number T6472-20BC25889.

13. The black Mercedes referenced earlier, was contacted by Asotin County Sheriff's Deputies and FBI TFO Braeden Hammon². TFO Hammon deployed a drug detection K9 around

² K-9 Boston is a 4 year old female black Labrador and was purchased by the Idaho State Police (ISP) in 2017 from Ken Pavlick, owner of Pacific Coast K-9, located in Custer, Washington. K-9 Boston completed 8 weeks (320 hours) of narcotic detector dog training at the Utah Peace Officer Standards and Training (POST) Academy with ISP Sergeant (Sgt.) Ken Yount. The reality-based training was taught by certified instructors and administered by Wendell Nope, a certified Police Dog Teaching Judge. K-9 Boston and Sgt. Yount certified as a narcotic detection K-9 Team through Utah and Idaho POST.

In 2020, K-9 Boston was assigned a new handler, ISP Trooper (Tpr.) Braeden Hammon, and together they completed 4 weeks (160 hours) of narcotic detector dog training administered by Idaho POST K-9 Instructor Jason Davis. K-9 Boston and Tpr. Hammon certified as a narcotic detection K-9 Team through Idaho POST.

K-9 Boston is trained to detect the odors that emanate from methamphetamine, cocaine, heroin, marijuana and their derivatives. K-9 Boston exhibits a passive indication when she detects the odors of these controlled substances. K-9 Boston will sit, lay down, or stop/stare at the strongest source of controlled substance odor.

K-9 Boston has been in service with ISP since September 2017. Tpr. Hammon has been employed by ISP since 2016. K-9 Boston and Tpr. Hammon are required to certify every 15 months, and meet the requirements as set forth by the Idaho POST Academy narcotic detection team standards.

K-9 Boston and Tpr. Hammon conduct an average of 16 hours of in-service training per month. K-9 Boston and Tpr. Hammon also attend training conducted by Idaho POST certified K-9

the perimeter of the Mercedes vehicle and received a positive alert for the presence of narcotics odor. The driver and registered owner of the vehicle, Lucas SPINELLA, told FBI TFO Cody Bloomsburg that they were “out for a drive.” The vehicle was subsequently seized by the FBI and impounded to the secure lot at the Clarkston Police Department, Clarkston, WA in anticipation of a search warrant.

14. On January 20, 2022, I reviewed LAFAVE’s criminal history and observed that LAFAVE was convicted of felony robbery and felony burglary in Whitman County, Washington in 2011 and was sentenced to 121 months in prison. Notably, LAFAVE was also convicted of felony eluding an officer in Nez Perce County, Idaho and was sentenced to 24 months confinement. LAFAVE is therefore prohibited from possessing firearms.

15. According to ATF Nexus Expert Mario Piergallini, Century Arms is a known international firearms importer, not based in Washington State. Further, Canik firearms are not manufactured in Washington State. Therefore, this firearm’s presence in the Eastern District of Washington affected interstate and/or foreign commerce.

16. Based on the foregoing, I submit that there is probable cause to believe that on or about January 19, 2022, Jeremiah LAFAVE committed the offense of Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1).

instructors and evaluators throughout the year. K-9 Boston has been utilized to sniff residences, buildings, vehicles, school lockers, open areas, detention facilities, and mail parcels for the presence of controlled substance odor.

K-9 Boston and Sgt. Yount placed second in drug detection trials at the 2018 and 2019 Idaho Police Canine Association Conference.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Respectfully submitted,



Thomas J. Brennan
Special Agent
Federal Bureau of Investigation

Sworn to telephonically and signed electronically on this 20th day of January 20, 2022. ^{SAB}



The Honorable James A. Goeke
United States Magistrate Judge